

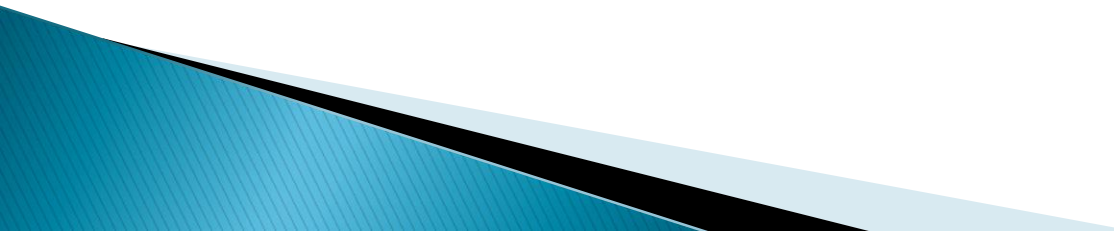
# DHHS and County MOUs

## Session Law 2017-41, HB630, Part III

Director Donna Fayko, M.Ed.  
Rowan County Department of Social Services



# Local Agreements

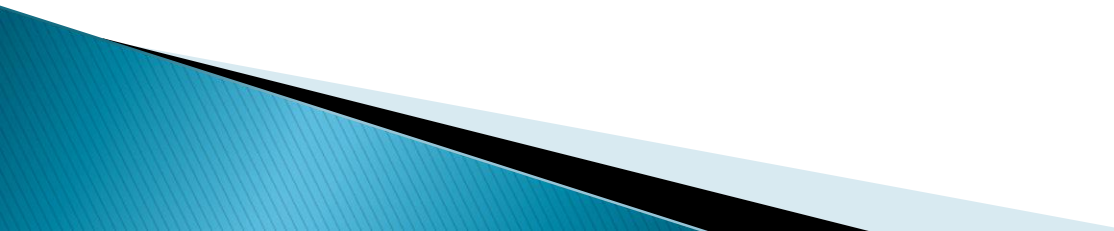
- FY'19, the DHHS Secretary shall require all counties to enter into a written agreement each year that specifies mandated performance requirements and administrative responsibilities with regard to all social services programs other than medical assistance.
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# Local Agreements


- ▶ Performance measures using reliable data.
- ▶ Administrative responsibilities address staff training, data submission and communication with DHHS

If DSS fails to satisfy mandated performance requirements or comply with the terms of the agreement, DHHS shall withhold state and federal funds.

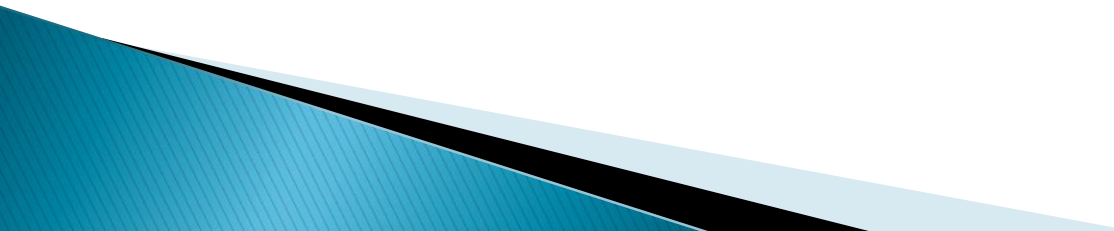
After providing written notification and providing an opportunity to be heard, the Secretary of Health and Human Services may intervene if it is determined that a county DSS is not providing services in accordance with law and policy.



# Actions that may be taken include:


- Sending DHHS staff to provide technical assistance and monitor services
  - Establishing a corrective plan of action to correct inappropriate policies and procedures
  - If after 60 days, reasonable efforts have not been made, state and federal child welfare services administrative funds will be withheld until the particular services(s) are provided in accordance with State laws and applicable rules.
  - Ensuring provision of services through contracts with public or private agencies or by direct operation by DHHS.
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IF DSS fails to successfully complete its corrective action plan, the DHHS regional office will temporarily assume all or part of the DSS administration after giving notice. Further actions include:

- ▶ Secretary, through regional office, will administer all or part of the social services program in a county, including supervision of program staff or contracts for operation
  - ▶ DSS shall be divested of administrative authority for any program component assumed by Secretary
  - ▶ County DSS director shall be divested of all service delivery powers related to that service
  - ▶ Secretary may assign powers and duties of the director to a DHHS staff or contractor
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- ▶ direct and oversee expenditure of all funding for administration of the components of the program assumed by DHHS
- ▶ DSS will not withdraw funds previously obligated or appropriated for program administration and services
- ▶ DSS will continue to pay the county's nonfederal share for the services and administration
- ▶ Secretary will inform appropriate boards of key activities and ongoing concerns.

Once the Secretary determines that DSS is able to meet performance requirements and that program administration should be restored, DSS will then resume its full authority to administer the programs that were assumed.



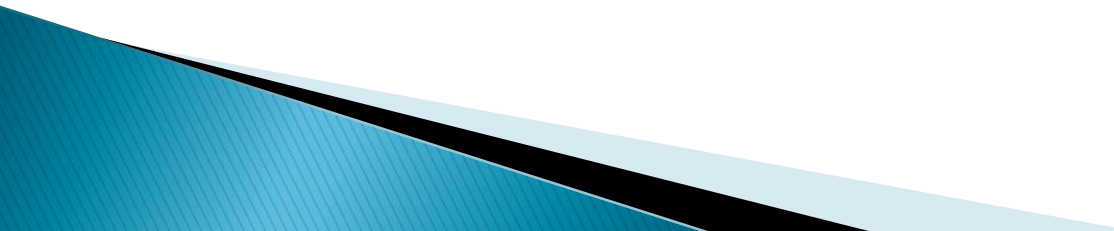
Several performance measures are not solely within the Department of Social Services' ability to control and intersect with other systems.

**The goals of specific concern are as follows:**

- ▶ The County will ensure that 41% of children who enter foster care in a 12-month period are discharged to permanency within 12 months of entering foster care.
  - ▶ The County will ensure that all children who enter foster care in a 12-month period in the county, the rate of placement moves per 1000 days of foster care will not exceed 4.1%.
  - ▶ The County will ensure that of children who enter foster care in a 12-month period who were discharged within 12 months to reunification, kinship care, guardianship, or adoption no more than 8.3% re-enter foster care within 12 months of their discharge.
  - ▶ The county will achieve its given annual percentage of current child support paid.
  - ▶ The county will achieve its given annual percentage of cases that received a payment towards arrears.
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# Issues for consideration

- Identification of data sources that will be used to measure performance indicators
  - State to provide counties with **accurate**, timely and **reliable** data
  - Some of the performance measures will not be achieved consistently until major systems issues are addressed (e.g., court system, Mental health services, poverty and unemployment).
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- 6-month implementation plan beginning 7/1/18
  - Agreements are between DHHS and the County, not the DSS
  - Each county should decide the appropriate authorized signatory who can legally bind the parties to the agreement
  - Counties are submitting addendums or “signing statements” with the MOUs
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